

50. The method of any one of claims 28, 36, 37, 38, 39, 40 or 41 wherein said spin trapping compound is selected from the group consisting of 5,5-dimethyl pyrroline N-oxide (DMPO) and spin trapping derivatives thereof.

Q2 cont
51. The method of any one of claims 28, 36, 37, 38, 39, 40 or 41 wherein the spin trapping compound is selected from the group consisting of α -(4-pyridyl 1-oxide)-N-tert-butyl nitron (POBN) and spin trapping derivatives thereof.--

REMARKS

By this amendment, claims 1-16 are cancelled. New claims 17-51 are added directed to a topical composition and a method of use thereof for treatment of dysfunction and disease conditions arising from oxidation damage. No new matter is added by this amendment. Support for the class of compounds employed in the claimed invention resides at pages 8-15 of the specification. Support for the use of an ointment or cream topical carrier resides at page 32. Support for the specific dosage amounts recited resides at page 33. Treatment of peripheral organ diseases resides at pages 19-20. Support for the treatment of radiation or cytotoxic compound exposure resides at page 20.

Applicants also submit herewith an Information Disclosure Statement which identifies for the Examiner relevant prior art of which applicants are aware, together with a Request for Interference pursuant to 37 CFR 1.607 in which applicants seek to provoke an interference between the instant application and U.S. Patent No. 5,679,691 (Ribier et al) which was granted on October 21, 1997.

A substitute declaration of the inventors is also submitted by separate paper to clarify the claim for priority pursuant to 35 USC 120.

Respectfully submitted,

BY: 

James W. Helliwege
Registration No. 28,808

Jones, Tullar & Cooper, P.C.
P.O. Box 2266 Eads Station
Arlington, Virginia 22202
415-1500
Filed: February 27, 1998